



**FOR IMMEDIATE RELEASE**

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**City Withdraws Appeal in Case to Acquire Property for Fourth Street Garage**

**Bloomington, Ind.** - The City of Bloomington moved to withdraw its Notice of Appeal in the eminent domain action to acquire the property at 222 South Walnut Street.

The City sought to acquire the property to replace the Fourth Street Garage on a footprint that would provide the public with multiple benefits. The City has filed a motion with the Court of Appeals to withdraw its appeal in the interests of timeliness and fiscal responsibility, and in light of last week's Plan Commission authorization and yesterday's Board of Zoning Appeals authorization of a revised garage design. The approved design will allow the City to construct a facility on the existing footprint capable of sufficiently addressing downtown public parking needs.

"We remain disappointed that the Monroe County Circuit Court failed to appreciate the public purpose of this project and the public value of this property, which is what eminent domain is designed to support," said Mayor John Hamilton. "We are confident we would have prevailed after additional appeals, but we believe it prudent to focus the City's time, energy, and resources on the construction of a public parking facility that is as efficient, environmentally sensitive, and responsive to our downtown needs as it can be."

The original (c. 1985) Fourth Street Garage was razed after the City Council voted to replace it instead of repairing the badly deteriorated, unsafe structure. The original design for the replacement garage anticipated the acquisition of the property at 222 South Walnut Street in order to maximize capacity for and efficiency of public parking. The City filed a complaint to acquire the property by eminent domain in the summer of 2019 after negotiations to purchase it from owner Juan Carlos Carrasquel were unsuccessful. The Monroe Circuit Court denied that complaint in late December 2019, holding that the garage did not serve a public purpose because the proposed design included City-owned commercial space, as per nationally recognized planning principles, and as required by Bloomington's zoning ordinance. In response to the Court's ruling, the City moved to file an amended complaint to remove the commercial space from the project. In late January 2020, the Court denied the motion. More information and a timeline of the legal process is available [here](#).

The newly approved design for the garage includes approximately 550 parking spaces and the originally anticipated non-residential space, including commercial space and the Parking Services Office on the ground level of the structure along Walnut Street. The garage will incorporate a solar array, bicycle parking, and lockers on the ground floor, along with other elements that will allow it to pursue ParkSmart environmental certification, which this facility and the new Trades District garage will be the first in Indiana to attain. The new Fourth Street Garage will also feature a major public art component and new downtown public restrooms.

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